

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

OHIO COAL ASSOCIATION, et al.,	:	Case No.: 2:14-cv-2646
	:	
and	:	Related Case No.: 2:15-cv-448
	:	
MURRAY ENERGY CORPORATION, et al.,	:	JUDGE JAMES L. GRAHAM
	:	
Plaintiffs,	:	MAGISTRATE JUDGE ELIZABETH P. DEAVERS
	:	
v.	:	
	:	
R. ALEXANDER ACOSTA,¹ SECRETARY OF LABOR, and THE MINE SAFETY AND HEALTH ADMINISTRATION,	:	JOINT STATUS REPORT OF THE PARTIES
	:	
Defendants.	:	

By order of the Court (ECF No. 83 in 14-cv-2646), the parties hereby present their joint status report.

1. Under a January 16, 2018 Order (ECF No. 58 in 15-cv-448 and ECF No. 83 in 14-cv-2646), the Court extended a stay of these proceedings, granting the parties additional time to pursue settlement discussions and requiring them to file a joint report by March 9, 2018 if the matter had not been dismissed.

2. Since the stay first began in mid-2017, the parties convened a series of regularly scheduled settlement conferences via telephone, attended by counsel for all parties and, in most instances, representatives of the parties in both of the related cases. Counsel for the parties have also communicated via e-mail and telephone throughout the pendency of the stay to exchange information and discuss the parties' respective positions.

¹ Pursuant to Federal Rule of Civil Procedure 25(d), R. Alexander Acosta, in his official capacity as Secretary of Labor, has been substituted for Thomas E. Perez.

3. On October 19, 2017 the parties conducted an in-person conference between counsel and party representatives at MSHA headquarters in Arlington, Virginia for the purpose of exploring potential settlement terms.

4. In December of 2017, Plaintiffs made a detailed proposal to MSHA, and MSHA is developing a responsive proposal that it anticipates providing to the Plaintiffs shortly. As such, the parties continue to discuss potential terms of settlement and continue to evaluate whether a mutually agreeable negotiated resolution is possible.

5. To facilitate these ongoing discussions, the parties respectfully request an extension of the current stay for an additional 90 days.

Respectfully submitted,

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s/ Kari E. D'Ottavio, by s/ Vladimir P. Belo,
per authorization

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Certificate of Service

A true and accurate copy of the foregoing was electronically filed on March 9, 2018,
via the Court's ECF filing system, which automatically serves notice on counsel of record in
this action.

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